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APPLICATION NO	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO	CONFIRMATION NO
09/636,226	08/10/2000	Masahiko Hirose	04558/044001	7100

22511 7590 04/03/2002

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EXAMINER
FORTUNA, ANA M

ART UNIT	PAPER NUMBER
1723	9

DATE MAILED: 04/03/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No.	Applicant(s)
09/636,226	Hirose
Examiner	Art Unit
Ana Fortuna	1723

Advisory Action

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

THE REPLY FILED *Feb 26, 2002* FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.
Therefore, further action by the applicant is required to avoid the abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

THE PERIOD FOR REPLY [check only a) or b)]

a) [X] The period for reply expires *6* months from the mailing date of the final rejection.

b) [] In view of the early submission of the proposed reply (within two months as set forth in MPEP § 706.07 (f)), the period for reply expires on the mailing date of this Advisory Action, OR continues to run from the mailing date of the final rejection, whichever is later. In no event, however, will the statutory period for the reply expire later than SIX MONTHS from the mailing date of the final rejection.

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. [] A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.

2. [] The proposed amendment(s) will be entered upon the timely submission of a Notice of Appeal and Appeal Brief with requisite fees.

3. [X] The proposed amendment(s) will not be entered because:

 (a) [X] they raise new issues that would require further consideration and/or search. (See NOTE below);

 (b) [X] they raise the issue of new matter. (See NOTE below);

 (c) [] they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

 (d) [] they present additional claims without cancelling a corresponding number of finally rejected claims.

 NOTE: *the limitation of "free chlorine aquous solution containing a bromine compound" constitute a new matter.*

4. [] Applicant's reply has overcome the following rejection(s):

5. [] Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment cancelling the non-allowable claim(s).

6. [] The a) [] affidavit, b) [] exhibit, or c) [] request for reconsideration has been considered but does NOT place the application in condition for allowance because:

7. [] The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.

8. [X] For purposes of Appeal, the status of the claim(s) is as follows (see attached written explanation, if any):

 Claim(s) allowed: _____

 Claim(s) objected to: _____

 Claim(s) rejected: *1-5*

9. [] The proposed drawing correction filed on _____ a) [] has b) [] has not been approved by the Examiner.

10. [] Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.

11. [X] Other: *see response to applicant remarks, attached.*

Response to Arguments

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., interfacial polymerization) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Reference '625 does discloses reacting aromatic amine with a polyfunctional acid halide and forming a skin layer on a support (column 3, last paragraph, through column 4, first paragraph, column 10, lines 34-37). The post treatment with a non-solvent containing lithium salt, e.g. lithium bromide, is also disclosed in '625.

The rejections over '518, as discussed in paper No. 7 are maintained, since the claims were not previously limited to exclude chlorine in the aqueous solution containing bromine , and the amendment has not been entered because it constitutes a new matter.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ana Fortuna whose telephone number is (703) 308-3857. The examiner can normally be reached on Monday-Friday from 9:30 to 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wanda Walker, can be reached on (703) 308-0457. The fax phone number for the organization

where this application or proceeding is assigned is (703) 872-9310 for regular responses, and (703)872-9311 for after finals.

Ana Fortuna

April 02, 2000

ANA FORTUNA
PRIMARY EXAMINER